IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Contempt Petition no. 129 of 2007
in
Contempt Petition No.83 of 2007
in
Writ Petition No.1938 of 2006

Sitaram Sakhtu Chaurasia ..Petitioner

vs.

1. Municipal Corporation of Gr. Bombay and others ..Respondents

Mr.S.J.Chaurasiya i/b Ashoka Law Firms for petitioner.

CORAM: S.C.DHARMADHIKARI J
29th October,2007

P.C.

1. This contempt petition alleges breach of the order passed by me which directs that before the respondents decide the representation they must give copies of certain documents after allowing inspection thereof to the petitioners.

2. Affidavit in reply is filed and a contention is raised that all the documents were in deed inspected by the petitioners' Advocate and that is how the allegations made are false.

3. Additionally, after tendering unconditional apology it is contended that in pursuance of the

order and directions of this Court in contempt petition no.83 of 2007, the representations have been considered and detailed order is made on 18th October, 2007.

4. A copy of this affidavit and order annexed thereto has been served on the petitioners.

5. In my view, now that a substantive order is passed in pursuance of the directions issued by this Court, it would be futile to go into the rival contentions on merits of the controversy which in any event cannot be done in contempt jurisdiction. If the petitioner still feels aggrieved by the action of the Commissioner, he is free to institute substantive proceedings and raise therein appropriate pleas including that the documents submitted by respondent no.7 were inadequate or that the inspection thereof was not allowed and copies not supplied so as to enable the petitioner to effectively and properly represent his case. All facets of these controversies including the alleged breach of principles of natural justice can be the subject matter of the substantive proceedings. The contempt petition is no longer a remedy for the petitioner. Contempt petition is,therefore, dismissed.

(S.C.DHARMADHIKARI J.)